

HOUSE BILL 278  
By Davidson

AN ACT to amend Tennessee Code Annotated, Title 58, Chapter 1, Part 1, relative to military funerals for certain persons.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 58, Chapter 1, Part 1, is amended by adding Sections 2 through 7 of this act as new sections thereto.

SECTION 2. Section 58-1-117. The purpose of this act is to establish the Tennessee military funeral honors program to ensure, subject to the appropriation of adequate funds, an appropriate final tribute to deceased veterans and governors in the absence of federal military funeral honors or funeral honors provided by veteran organizations. This act establishes procedures that ensure this tribute on behalf of a grateful citizenry to honor deceased veterans in recognition of their service to the state of Tennessee and to the United States of America. The rendering of military funeral honors is the ceremonial paying of respects and final demonstration of gratitude to those who, in times of war and peace, have faithfully defended freedom.

SECTION 3. Section 58-1-118. The adjutant general of Tennessee shall administer the military funeral honors program.

SECTION 4. Section 58-1-119.

(a) The funeral honors entitlement established by this act may be provided to an eligible veteran only if:

(1) A request for military funeral honors has been made on behalf of the deceased veteran to federal authorities; and

(2) Military funeral honors are not to be provided by federal authorities, regardless of the reason.

(b) Governors are entitled to funeral honors without a federal request.

SECTION 5. Section 58-1-120. Only veterans and governors are eligible for military funeral honors under this act. In this act, "veteran" means a Tennessee resident who is a veteran as defined in 10 U.S.C. 1491(h). Governors are eligible for military funeral honors because of their service as commander-in-chief of the military forces of the state.

SECTION 6. Section 58-1-121.

(a) A member of the army national guard may be ordered to funeral honors duty in accordance with this act. Such member shall receive an allowance of fifty dollars (\$50.00) for any day on which a minimum of two (2) hours of funeral honors duty is performed. Members of the Tennessee national guard ordered to funeral honors duty in accordance with this act are considered to be in the active service of the state for all purposes except for pay, and the provisions of Section 58-1-230 apply if a member of the Tennessee national guard is injured or disabled in the course of those duties.

(b) The adjutant general may provide support for other authorized providers who volunteer to participate in a funeral honors detail conducted on behalf of the governor. This support is limited to transportation, reimbursement for transportation, expenses, materials, and training.

SECTION 7. Section 58-1-122. The adjutant general may issue appropriate guidelines to implement this program.

SECTION 8. Section 58-1-123. Nothing in this act establishes any entitlement to military funeral honors if the adjutant general determines that Tennessee national guard personnel are not available to perform those honors or if adequate appropriated funds are not available to fund this program.

SECTION 9. This act shall take effect upon becoming a law, the public welfare requiring it.